



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/589,673

05/21/2007

Masaki Kaneda

0670-7083

9942

31780

7590

07/21/2010

Robinson Intellectual Property Law Office, P.C.

3975 Fair Ridge Drive

Suite 20 North

Fairfax, VA 22033

EXAMINER

MAWARI, REDHWAN K

ART UNIT

PAPER NUMBER

3663

MAIL DATE

DELIVERY MODE

07/21/2010

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/589,673	Applicant(s) KANEDA ET AL.	
	Examiner REDHWAN MAWARI	Art Unit 3663	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 May 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 8 and 9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 8 and 9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 August 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 19 June 2008 has been entered.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Morita (6,119,095) in view Anderson (2002/0082771) and further of view Diaz (6,816,778).

Art Unit: 3663

Consider claims 8 and 9, Morita discloses a route search device, comprising: a specification unit configured to specify a plurality of locations (see at least abstract, desired visiting places);

a determination unit configured to determine a via-sequence of the specified locations (see at least FIG. 6 and FIG. 7, wherein each location or visiting place is sorted in order based on priority);

a search unit configured to search a route between two consecutive locations in the via-sequence (see at least FIG. 3);

a first time calculation unit configured to calculate an arrival time at each of the locations on the basis of a travel time between the two consecutive locations searched by the search unit (col. 6, lines 31-56, FIG. 4, col. 7, lines 60-67);

a first judgment unit configured to judge whether the arrival time at each location calculated by the first calculation unit matches an arrival time condition at each location (see at least col. 7, lines 60-67, wherein it is determined that it is impossible to arrive on the intended arrival time);

a re-search unit configured to re-search a route the two consecutive locations when a route in a via-sequence, for which the conditions are matched by the first judgment unit, includes a congested place and/or a place which may be congested, so as to avoid the congested place and/or the place which may be congested (see at least col. 3, lines 30-67, wherein plan changing means changes the trip schedule to accommodate the user's desires, col. 7, lines 61-67, wherein arrival time does not match the intended arrival time, and therefore plan

Art Unit: 3663

changing means section changes the itinerary. Furthermore, travel itinerary takes the traffic conditions under consideration). Morita does not explicitly disclose a re-search route configured to re-search a route the two consecutive location, even though Morita discloses revise of the trip schedule when arrival time does not match the intended arrival time. However for more clarification, examiner introduces a secondary reference;

Anderson teaches a re-search unit configured to re-search a route the two consecutive locations when a route in a via-sequence, for which the conditions are matched by the first judgment unit, includes a congested place and/or a place which may be congested, so as to avoid the congested place and/or the place which may be congested (see at least FIG. 1A, 1B, paragraph 23, 24 and 41);

a second calculation unit configured to calculate an arrival time at each location on the basis of the travel time between the two consecutive locations in the route re- searched by the re-search unit (see at least FIG. 1A, 1B, paragraph 23, 24 and 41);

a second judgment unit configured to judge whether the arrival time at each location calculated by the second calculation unit matches an arrival time condition at each location (see at least Anderson paragraph 0041 and 0042); and

a selection unit configured to select as the via-sequence of a guide route a single via-sequence from a via-sequence for which the first judgment unit judges that the arrival time conditions are matched at all the specified locations and which -does not include a congested place and/or a place which may be

Art Unit: 3663

congested and a via-sequence for which the second judgment unit judges that the arrival time conditions are matched at all the specified locations (see at least Anderson paragraph 0041 and 0042);

accordingly, it would have been obvious to an ordinary skilled person in the art at the time of the invention to combine the invention of Diaz into the invention of Morita in view of Anderson for the purpose of providing routing assistance based on the travel profiles and enhancing the user's travel experience;

wherein each of the first and second time calculation units includes an adder for adding a stay time based on a genre of each location to the arrival time, wherein each of the first and second judgment units includes a unit for deciding whether the arrival time at each location matches a guide time slot stored for the genre of each location (see at least Morita FIG. 4-7, wherein for example, soccer match finishes earlier than the intended time, then there is a time slot available in which a user adds a stay time based on a genre for example, a soccer game or a museum or a specific restaurant), and

even though it would have been obvious to an ordinary skilled person in the art at the time of the invention that the trip schedule will be sorted based on the ascending order of arrival times at each location to make it easy for the user to follow his or her next destination; however examiner introduces a secondary reference.

Art Unit: 3663

Diaz teaches wherein the guide route search device further comprises a display unit configured to display the selected via-sequence in ascending order of arrival times at each location (see at least FIG. 4).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Redhwan Mawari whose telephone number is 571 270 1535. The examiner can normally be reached on 7:30 AM - 5PM Mon-Fri Eastern Alt Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Keith can be reached on 571 272 6878. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3663

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

07/19/2010

/R. M./

Examiner, Art Unit 3663

/Tuan C To/
Primary Examiner
July 18, 2010